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ABSTRACT

This short booklet, intended for use by local unions who wish to establish a day care center in the workplace, provides some guidelines which may assist them to facilitate this process. Guidelines are given on issues such as the formation of contract language to be presented at the time of negotiations, ways to finance a child care center, types of facilities, operation schedules, ages of participants, staffing, and health and safety. Lists of useful publications and resources available from a variety of private and public organizations are attached. (MP)

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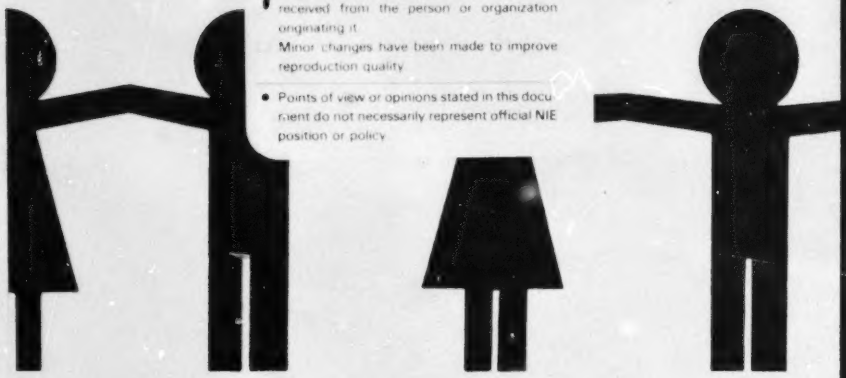

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Local Union Guide for Establishing Child Care Centers

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Preface

This booklet presents one method of promoting child care in the workplace. Some unions may find that pushing for comprehensive child care legislation is another route.

The sample contract language presented herein should be regarded as a **model**, which may or may not fit your specific needs. Even assuming that it does, your ability to "win" such language at the bargaining table will depend on many factors, primarily on the bargaining strength and unity of your local.

Child Care—The Need and the Response

The need for child care by working parents no longer should be posed as a question but as a statement.

52.9 percent of all women with children under the age of 18 are working outside of the home or looking for work. (March 1978)

6.9 million children of working mothers are under six years old. (March 1978)

6.1 million children live in single-parent families headed by mothers who work outside the home. (March 1978)

Median income in female-headed families (with children under 18) in 1977 was $8,625 for employed mothers, $4,625 for unemployed mothers, and $4,404 for mothers not in the labor force. These figures represent poverty level income.

Despite the existence of Head Start and scattered programs sponsored by a variety of agencies, our government has made no comprehensive committment to the concept of child care. And the inactivity of the 94th Congress on the Child and Family Services Act (S.626 and H.R. 2966), which would have allocated 1.85 billion dollars over three fiscal years to establish a new child and family service program under the Office of Child Development, suggests that we cannot rely on the government for initiative in this area.

Many unions are aware of this problem, and their responses range from vowing in convention resolutions to assist locals seeking to establish workplace child care centers to taking the initiative in the establishment of such programs. Between 1968 and 1976 the Amalgamated Clothing Workers of America (now the Amalgamated Clothing and Textile Workers Union of America) established seven child care centers in Pennsylvania, Virginia, Maryland, and Chicago, boasting a total enrollment of 1,390 children between the ages of three and six years. A 1975 search of 2,806 federal sector collective bargaining agreements by the Office of Labor-Management Relations, U.S. Civil Service Commission, revealed 48 which included provisions relating to child care/day care facilities. Thus, the wheel of negotiated workplace child care facilities is already in motion. This document will hopefully provide the guidelines necessary to keep that wheel in full spin.

Contract Language

The first step that a local union must take to set up a child care center is the formulation of contract language to be presented at the time of negotiations. As with any other working condition, it is important that child care be protected by the collective bargaining agreement so that the employer's "promise to consider it" becomes a binding obligation.

Very few clauses exist in current union/management agreements, and those that exist are generally weak. For example, consider the following language negotiated in a federal sector agreement:

> The employer agrees to cooperate with the union in considering the needs of employees for a day care center, considering related problems of working parents, and attempting to find solutions to such problems, to the extent permitted by the employer's resources and authority.

Strong language would provide for establishing a joint labor-management committee to explore the ways in which a center could be set up, and it would **bind the employer** to comply with the findings of the committee. Local unions will have to develop language to suit their particular situations, but the following article can be used as a model:

Article _____
Child Care

The employer, recognizing the needs of working parents, agrees to the establishment of a "Child Care Committee" consisting of an equal number of employee and employer representatives responsible for researching and developing a child care facility. Provisions will be made to allow Committee members to perform their functions within reason during working hours and without loss of pay.

The "Child Care Committee" shall complete its research and develop a model for a child care facility no later than three (3) months after the effective date of this agreement. Such facility will become operational no later than six (6) months after the effective date of this agreement. These time limits may be waived by mutual consent of the parties to this agreement. The Committee shall be responsible for the administration of the child care facility.

The employer will provide initial financing of the costs of such a facility; employees whose children are enrolled will contribute a minimal amount of $_____weekly towards maintenance costs, with the employer absorbing the rest. Child care facilities will meet minimum state licensing requirements, and, where appropriate, Federal Interagency Day Care Requirements with respect to staffing ratio, health and safety, and other pertinent areas.

(Alternative on Operation: The union shall have sole responsibility for the administration of the child care facility.)

(Alternative on Financing: The employer shall provide total financing for all initial and subsequent operating costs.)

The following model contract language developed by the Newspaper Guild may also be of use to locals:

> Within _____ days after signing of this contract, the Employer and the Guild shall agree on the establishment and administration of adequate Employer-financed child care centers. The Employer shall provide the necessary study funds for the Guild to determine the need for required supervision and care of children, including both preschoolers and those who need afterschool care. (Note: Cooperation with other unions in the establishment of child-care centers is urged where appropriate. Employee-parent control and voluntary participation in such centers is basic to their establishment, which shall be an employer responsibility).

The above clause includes provisions for children who need after-school care. This and care during summer months may be important issues to some working parents.

As an alternative to a child care article, the agreement might include provisions for child care under an already existing article. The Baltimore Regional Joint Board of the Amalgamated Clothing and Textile Workers Union of America negotiated in 1966 a Supplemental Agreement providing for the establishment of a Health and welfare Fund. Money for the fund is provided by the employer, who pays 2 percent of the hourly payroll. Employees, whose children are enrolled in the child care center contribute $15 per week for the first child and half this amount for each additional child. The fund, which is jointly administered by labor and management, is used not only for child care operating costs, but also for eye examinations (free to all employees every two years) and physicals (free every year). Community children are accepted into the center on a "space available" basis, at a fee of $30 per week per child.

Financing a Child Care Center

Probably the first snag you'll come to in proposing the idea of child care to your employer is: "We can't afford it." True enough, child care is expensive. The Day Care and Child Development Council of America estimated that 1976 standard costs per child, per year ranged from $1,800 to $3,200, and this is a modest estimate. But a wise employer may recognize that the benefits outweigh the costs. Research conducted by the Women's Bureau of the U.S. Department of Labor shows that recruiting personnel is easier and employee absenteeism and turnover rates are reduced where child care services are offered.

There are several ways to pay the costs of opening and maintaining a child care center. One is to negotiate for a "Health and Welfare" or "Social Benefits" fund, such as the previously described plan of the Amalgamated Clothing and Textile Workers. Public law 91-36 amended section 302 (c) of the Taft-Hartley Act to permit employer contributions to trust funds for the establishment of child care centers. Another way is to negotiate for the employer to pay all of the initial costs of a center. Employees whose children are enrolled in the center then pay a minimal amount—$1 or $2 a day—towards maintenance costs, with the employer making up the difference. Many private industry centers operate in this fashion. Tax exemptions may be allowed a child care center that establishes itself as a nonprofit, charitable association or corporation, that also allows low-income members of the community to enroll their children, and that meets certain other criteria. For more information on this provision, contact your local U.S. Internal Revenue Service office, Exempt Organizations Division, and ask for Form 1023 (Exemption Application) and Booklet 557. Be sure to describe to IRS the type of center you wish to establish, before filling out the form, to be sure that it will qualify for such an exemption.

Child care expenses for dependents under the age of 15, necessary for the gainful employment of one or both parents, are subject to tax credit under Secion 44(a) of the Internal Revenue Code of 1954, amended in 1976. This law entitles eligible parents to a tax **credit** (which provides greater tax savings than a tax deduction) of 20 percent of employment related child care expenses in a given year. These employment related expenses are limited to $2,000 for one dependent and $4,000 for two or more dependents. For more information, get Internal Revenue Service Publication 503, "Child Care and Disabled Dependent care," available at local IRS offices.

There is also the possibility of soliciting funding from the federal government or from interested businesses, charitable, or community groups. Federal funds are available from a variety of agencies, including the Department of Agriculture which offers subsidies for food programs, the Department of Health, Education and Welfare and the Department of Labor. For a complete listing of all the federal agencies which provide child care funds and the eligibility regulations for such funds, send for the free booklet entitled:

Selected Federal Programs Which Provide Services Relating To Child Care (1976)
U.S. Department of Health, Education and Welfare
Office of Child Development
Washington, DC 20201
DHEW Publication no. (LHD) 76-31095

An older but similar booklet describing federal funding sources is:

Federal Funds for Day Care Projects
Women's Bureau Pamphlet no. 14 (1972)
available from: The Women's Bureau of your nearest Regional U.S. Department of Labor Office or
Women's Bureau
New Department of Labor
Washington, DC 20201
(Enclose a return-address mailing label for quicker delivery).

Another dated but useful booklet is also available from the Women's Bureau:

Day Care Services: *Industry's Involvement*
Women's Bureau Bulletin no. 296 (1971)

Day care does cost money, but costs can be kept to a minimum with a little creativity. For example college students, high school students, senior citizens, and other members of the community may be used as volunteers to assist the paid staff. Bagged lunches may be more economical than a hot lunch program. Some of the most appreciated toys and games can be made from household junk.

Guidelines for Establishing Your Own Child Care Center

Type of Facility

The amount of space needed for a child care center depends primarily on how many children will be using the facility. A center should allow ample space for learning activities (tables and chairs will be needed), recreation (a fenced yard is ideal, but not necessary), and rest periods (cots, mats, or sleeping bags may be used during nap time). Naturally, the site should be free of hazards. Child-size toilets and sinks, a kitchen area (not necessary), a first aid area, coat rack space, and a "quiet corner" for reading or being alone (also not necessary) are other items to consider. Many child care centers are set up on work premises. In some cases a separate building is renovated, constructed, or rented, or a nearby church school is used. The Amalgamated Clothing and Textile center in Pennsylvania, Virginia, and Maryland are entire school buildings with four to twelve classrooms and large outdoor play areas. A center located at or near the workplace keeps transportation costs to a minimum since children can accompany their parents to work and also allows parents to have some contact with their children during break time.

Days and Hours

Most workplace child care centers already in existence operate five days a week, with hours set to accommodate the needs of working parents, for example: 7:00 a.m.—5:30 p.m.

Ages of Children

Workplace child care centers are generally designed to accommodate children of pre-school age: 2 or 2½ to 6 years old. Some centers may also be designed to accomodate school-age children after regular school hours, although a separate program would be needed. Older children might be utilized by paid staff to perform volunteer functions. Some of the existing centers operate on a year-round basis, and others are closed during the summer months.

Staffing

Child care centers generally employ full-time, paid staff, and in some cases a director and a health professional. The child/staff ratio should never be greater than 10 to 1, and an adult/child ratio of 4 to 1 is considered best. As already mentioned, volunteers can effectively be used to lower the ratio, but the director or full-time staff must be sure that volunteers operate on a reliable and regular schedule. The center should employ teachers who will implement the goals established by parents and/or union-management policy makers. Planning sound educational and recreational programs requires a professional staff of creative and warm people, regardless of whether they have a degree in elementary education.

Health and Safety

A nurse or an adult with a working knowledge of first-aid techniques is desirable. If funding constraints do not allow for hiring such people, provisions should be made to insure that the center has access to a nearby hospital or clinic. It is wise for the center to make its existence known to hospitals and clinics, so treatment can be quickly carried out in an emergency situation. It may be necessary for children to undergo physical examinations and be vaccinated before enrolling in the center and on a regular basis thereafter. The center should know all pertinent health information about each child, including the name of the family physician or pediatrician.

Important: State licensing requirements may apply to all of the above areas and must be consulted before the child care center is set up. If federal funds are used, Federal Interagency Day Care requirements must be complied with as well.

Useful Publications and Resources

Ideas for setting up and operating child care centers are available from a variety of books, articles, and institutions. One of the most complete listings of books and materials is available, free of charge from:

Day Care and Child Development Council of America, Inc.
622 14th Street, N.W.
Washington, DC 20005
(202) 638-2316

Ask for their current publications catalogue entitled *Resources for Child Care.*

Lists of useful materials and readings are also available from the following organizations:

Child Welfare League of America, Inc.
67 Irving Place, New York, NY 10003
Ask for: *Current Publications List; Selected References on Day Care and Parent Participation/Education*

National Association for the Education of Young Children
1834 Connecticut Avenue, N.W.
Washington, DC 20009
Ask for: *Current Publications List*

Association for Childhood Education International
3615 Wisconsin Avenue, N.W.
Washington, DC 20016
Ask for: *Current Publications List*

Office of Child Development
U.S. Department of Health, Education and Welfare
Children's Bureau
Washington, DC 20201
Ask for: *Good References on Day Care,* by the Federal Panel on Early Childhood

Organizations Publishing Pamphlets and Books on Programs for Young Children, on Growth and Development of Children, on Families, and on Parent Education

American Public Health Association
1790 Broadway Avenue
New York, NW 10019

American Public Welfare Association
1313 East 60th Street
Chicago, ILL 60637

Association for Childhood Education International
3615 Wisconsin Avenue, N.W.
Washington, DC 20016

Bank Street College of Education
69 Bank Street
New York NY 10014

Bureau of Child Development and Parent Education
New York State Department of Education
Albany, NY 12201

Child Study Association of America
9 East 89th Street
New York, NY 10028

Child Welfare League of America
44 East 23rd Street
New York, NW 10010

Children's Bureau, Welfare Administration,
U.S. Department of Health, Education and Welfare
Washington, DC 20201

Day Care and Child Development Reports
2626 Pennsylvania Avenue, N.W.
Washington, DC 20037

Family Service Association of America
44 East 23rd Street
New York NW 10010

Mental Health Materials Center—Human Relations Aids
104 East 25th Street
New York, NW 10010

The Merrill-Palmer Institute of Human Development and Family Life
71 East Ferry Avenue
Detroit, MI 48202

National Association for the Education of Young Children
1834 Connecticut Avenue, N.W.
Washington, DC 20009

National Association for Mental Health
10 Columbus Circle
New York, NY 10010

National Committee for the Day Care of Children
44 East 23rd Street
New York, NW 10010

National Congress of Parents and Teachers
700 North Rush Street
Chicago, ILL 60611

Play Schools Association
120 West 57th Street
New York, NY 10016

Public Affairs Committee
381 Park Avenue South
New York, NY 10016

Women's Bureau, U.S. Department of Labor
Washington, DC 20201

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